IN THE HIGH COURT OF UTTARAKHAND
AT NAINTAL

Writ Petition No. 923(S/S) of 2007

Smt. Pushpa Negi W/o Sri Shakti Sudeer
R/o Village Parkandi, P.O. Parkandi
District- Rudraprayag ---------- Petitioner

Versus

1. The State of Uttarakhand through Secretary Education, Dehradun
2. District Education Officer, Rudraprayag
3. Additional District Education Officer (Basic), Rudraprayag
4. Sub District Magistrate, Ukhimath, District Rudraprayag
5. Gram Shiksha Samiti (Village Education Committee), through its president Sri Rajendra Prasad Bhatt, Gram Pradhan, Parkandi, District Rudraprayag

---------- Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri G.S. Negi, learned counsel for the petitioner, Sri N.P. Shah, learned Standing Counsel for State of Uttarakhand for the respondents nos. 1,2,3 and 4 and Sri Alok Singh, learned Senior Counsel assisted by Sri Pankaj Tangwan, Advocate for respondent no.5.

By means of this petition, petitioner has prayed for the following reliefs:-

1. Issue a writ, order or direction in the nature of certiorari quashing the impugned transfer order dated 7.7.2007 passed by respondent nos. 2 and 3, District Education Officer, Rudraprayag and Additional District Education Officer (Basic), Rudraprayag (Annexure No.7).

2. Issue a writ, order or direction in the nature of mandamus directing the respondent nos. 2 and 3 to allow the

petitioner to work on his post at Primary School, Kakola (Ukhimath), District Rudraprayag,

3. Issue any writ, order or direction, which this Hon'ble Court may deem just, fit and proper.

4. The cost of the petition may be awarded to the petitioner.

The stand of the petitioner is that she has joined the Primary School, Kakola (Ukhimath), District Rudraprayag on 03.08.2006 in pursuance to the order dated 17.07.2006 passed by Additional District Education Officer (Basic), Rudraprayag. Now by the impugned order dated 07.07.2007 passed by respondent nos. 2 and 3, petitioner has again been transferred from Primary School, Kakola to Primary School, Sogana, Augustyamuni.

During the course of argument, learned counsel for the petitioner has confined his prayer that the petitioner may be permitted to make a representation, raising all her grievances, before the respondents and the respondents may be directed to decide the representation of the petitioner sympathetically

The prayer is innocuous.

The petitioner may make a representation, raising all her grievances, before the respondents within a period of four weeks from today and the respondents are directed to decide the representation of the petitioner sympathetically. Considering the circumstances of the case and that it is mid-session, the petitioner may permitted to remain at the present place of posting till 31st May, 2008, provided she undertakes to join at new place of posting in the next academic session.

With this direction, the writ petition is finally disposed of. All the pending applications stand disposed of.

(M.M.Ghildiyal, J.)

29.11.2007
VKS